

**REMARKS**

Claim 111 has been amended to address the informality noted by the Examiner. No new matter has been entered.

Turning to the art rejection, it is noted claims 53-55, 58-60, 65-67, 70, 72, 74, 79-80, 88, 91-92, 94-98, 100, 104-110 and 111 have been rejected as obvious from Kim et al. in view of Hasegawa et al., while claim 112 has been rejected as obvious from Kim et al. in view of Ono et al. Enclosed herewith is a Declaration Under 37 CFR 1.131 which establishes that the Applicants completed the claimed invention before the U.S. filing date of the Kim et al reference diligently reduced the invention to practice, and filed an application on the invention, first in Japan, and then in the United States. In this regard Applicants provide a copy of the Inventors' Disclosure together with an English translation of the Inventor's Disclosure and the following table of drawing figures comparing the drawings in the Inventors' Disclosure attached to the 131 Declaration with the drawings filed with the U.S. Application.

Table Comparing Drawings

<u>U.S. Application Drawing Figure</u>	<u>Inventors' Disclosure Drawing Figure</u>	<u>Translated Disclosure Text</u>
4	1	
5	2	
6	3	
13	4	
23	5	
14	6	
15	7	
16	8	
11	9	
12	10	
17	11	
36	12	
37	13	
38	14	
39	15	
7	16	
8	17	
9	18	

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<u>U.S. Application Drawing Figure</u>	<u>Inventors' Disclosure Drawing Figure</u>	<u>Translated Disclosure Text</u>
18	19	
19A-B	20A-B	
20	21	
21	22	
22	23	
63A-B	24A-B	
24	25	
25	26	
26	27	
27	28	
10	29	
28A-F	30A-F	
28G-I	31G-I	
28J-K	32J-K	
29A-F	33A-F	
29G-H	34G-H	
29I	35	
30A-F	36A-F	
30G-H	37G-H	
30I	38	
31	39	
32	40	
33A-F	41A-F	
33G-J	42G-J	
34A-E	43A-E	
34F-I	44F-I	
35A-E	45A-E	
35F-H	46F-H	
40	47	
41	48	
42A-B	49A-B	
43A-B	50A-B	
44	51	
45	52	
46	53	
47	54	
48	55	
49	56	
50	57	
51	58	
52	59	
55	60	
54	61	
56	62	
57	63	
58	64	
64	65	
65	66	
53	67	
59	68	
60	69	

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<u>U.S. Application Drawing Figure</u>	<u>Inventors' Disclosure Drawing Figure</u>	<u>Translated Disclosure Text</u>
62A-B	70A-B	
61	71	
66	72	
67	73	
1	74	
2	75	
3	76	

Applicants note that the Kim et al. reference, which was published after the filing date of the subject application, has a November 13, 2001 U.S. filing date. The subject application claims multiple priority from Japanese Application No. 2001-48473, filed February 23, 2001, i.e., prior to the U.S. filing date of the Kim et al. reference, and from Japanese Application No. 2001-350620, filed November 15, 2001, i.e., just two days after the U.S. filing date of the Kim et al. reference. Since this application was filed on or after January 1, 1996, pursuant to Section 531(b) of Public Law 10-465, the amendment made to 35 USC § 104 is applicable in this case. Accordingly, Applicants' Declaration Under 37 CFR 1.131 which clearly shows completion of the claimed invention in a WTO member country, i.e. Japan, prior to the November 13, 2001 filing date of the Kim et al. patent application, diligent reduction to practice and filing first in Japan and then in the United States, removes the Kim et al. published application as citable prior art under 35 USC § 102/103. Accordingly, the rejection of claims 53-55, 58-60, 65-67, 70, 72, 74, 79-80, 88, 91-92, 94-98, 100 and 104-111 as obvious from Kim et al. in view of Hasegawa et al., and the rejection of claim 112 as obvious from Kim et al. in view of Ono et al., cannot be maintained.

With regard to the election requirement, it is noted the Examiner has limited the examination to claims 53-112. It is respectfully requested that the non-elected claims be maintained in this application without further action thereon for possible rejoinder or for filing of one or more divisional applications.

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The indicated allowability of claims 56, 57, 61-64, 68, 69, 71, 73, 75-78, 81-87, 90, 93, 99 and 101-103 is noted, with thanks. However, in view of the foregoing amendments, comments and the enclosed, it is believed all of the claims are allowable over the art.

Having dealt with all the objections raised by the Examiner, the Application is believed to be in order for allowance. Early and favorable action are respectfully requested.

The foregoing amendment makes no claim changes as would require a further search. Accordingly, entry of the foregoing amendment and allowance of the application are respectfully requested.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account Number 08-1391.

Respectfully submitted,



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**CERTIFICATE OF MAILING**

I certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to "MAIL STOP AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on November 24, 2004 at Tucson, Arizona.

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